

Appl. No. 10/759,358
Reply to Office Action of May 30, 2007

REMARKS

In the present response claims 1-12 and 14-17 are canceled, claim 13 is amended, and claims 18-31 are added, thereby leaving claims 13, 18-31 pending in the application.

Claims 1, 7, 8, 15 and 16 are rejected under 35 USC §102(b) as being anticipated by U.S. Patent Publication No. 2002/0012613 (Scordato). Further, claims 2 and 3 are rejected under 35 USC §103 as being unpatentable and obvious over Scordato in view of U.S. Patent No. 6,253,628 (Steele), claims 4-6 are rejected as being unpatentable and obvious over Scordato in view of U.S. Patent No. 3,656,351 (Raczak), claims 9-12 are rejected under 35 USC §103 as being unpatentable and obvious over Scordato in view of Raczak, and claims 14 and 17 are rejected under 35 USC §103 as being unpatentable and obvious over Scordato and Raczak and in view of U.S. Patent No. 4,099,548 (Sturm). Claims 1-12 and 14-17 have been canceled; therefore, Applicants respectfully request that these rejections be withdrawn.

Scordato discloses a hand held pipette 10 including a body portion 12 for being grasped by a user and a nozzle portion 14 extending downward at an angle from the body portion. In one embodiment, the nozzle portion may be "hingingly-mounted to body portion 12, the hinge being stiff enough so as to maintain a given angle θ " of the nozzle portion relative to the vertical axis of the body 12 (col. 4, paragraph 36). Otherwise, Scordato does not disclose any other structural features of the hinge and the hinge is not shown in any figures.

New claim 18 recites a pipette device including a pivot selector. Scordato does not teach a pivot selector as required by claim 18. Therefore, for at least this reason, Scordato does not anticipate claim 18. Accordingly, Applicants respectfully request allowance of claim 18 and claims 19-28, which depend from allowable claim 18.

Claim 28 recites a pipette device wherein the nozzle assembly is rotatable relative to the housing in any direction. The nozzle portion of Scordato only pivots relative to the base portion, as shown in Fig. 1A, and does not rotate in any direction relative to the housing, as required by claim 28. Therefore, for at least this reason, Scordato does not anticipate claim 28. Accordingly, Applicants respectfully request allowance of claim 28 and claims 29-31, which depend from allowable claim 28.

In view of the amendments presented herein, Applicants believe that the claims as filed are in condition for allowance and respectfully requests a timely Notice of Allowance be issued for this case. Applicants kindly request that the Examiner telephone the attorney of record in the

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event a telephone discussion would be helpful in advancing the prosecution of the present application.

Respectfully submitted,



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